



**City of Bellevue
Development Services Department
Land Use Division Staff Report**

Proposal Name: Ellene's Addition Plat Modification

Proposal Address: 1633 105th Ave SE

Proposal Description: Application for a Final Short Plat amendment to modify a previous approval. Remove a plat condition requiring a building setback varying between 30 to 40 feet from the front property lines of 19 lots within the plat.

File Number: 18-110638-LG


Applicant: Jay Marc Homes – Gary Upper

Decisions Included: Administrative Decision for a Modification to an approved Final Plat through Process II, Land Use Code 20.45A.270.

Planner: Carol Orr; Associate Planner

State Environmental Policy Act Threshold Determination: Exempt (WAC 197-11-800(6)(a))

Director's Decision: **Approval with Conditions**
Michael A. Brennan, Director
Development Services Department


By Elizabeth A. Stead, Land Use Director

Application Date: 4-05-2018
Notice of Application: 5-10-2018
Decision Publication Date: 11-1-2018
Appeal Deadline: 11-15-2018

For information on how to appeal a proposal, visit Development Services at City Hall or call (425) 452-6800 [TTY (425) 452-4636]. Appeal of the Decision must be made with the City Clerk by 5 PM on the date noted for appeal of the decision.

I. Description of Proposal

Application for a Final Plat amendment to modify a previous approval. The proposal requests the removal of a plat condition requiring a building setback varying between 30-40 foot from the front property line for 19 lots within the plat. The plat contains 38 number of lots, 19 are impacted by this enhanced building setback plat condition.

II. Site Description and Context

The lots affected by this plat condition are located on 105th Avenue SE and 106th Avenue SE. Fifteen of the nineteen lots with this plat condition are located on the west side of these streets, the remaining four lots are located at the end of the cul-de-sac on 105th Avenue SE. All lots are accessed from public Rights of Way. The surrounding area is zoned single family residential. The lots are bordered on all sides by single family residential development. The residential community is designated as part of the Southwest Bellevue Subarea of the Comprehensive Plan which consists mostly of single family residences with some multi-family located at the northern edge, and several commercial zones at the eastern most edge. This plat was created and approved prior to the incorporation of Bellevue. The original reason to impose this plat condition on only these 19 lots in the plat could not be determined.

III. Consistency with Land Use Code/Zoning

The proposed plat amendment will not have any effect on required Land Use Code dimensional requirements or density for the R-4 zoning district as applied to these lots. The plat condition that is being removed provides for a greater front setback than is required for other similar lots in the plat through the imposition of the dimensional standards required in the Land Use Code.

IV. Summary of Technical Reviews

The Fire, Utilities, Transportation and Clear and Grade Departments have no concerns regarding this Administrative Amendment.

V. Public Notice

<i>Application Date:</i>	April 5, 2018
<i>Public Notice (500 feet):</i>	May 10, 2018 (Includes sign installation on 105 th and 106 th Avenue SE)
<i>Minimum Comment Period:</i>	November 8, 2018

Notice of Application was published in the City of Bellevue's *Weekly Permit Bulletin* and the *Seattle Times* on January 26, 2017. It was mailed to property owners within 500 feet of the project site and a Public Information Sign was installed on the project site and on the adjacent right of way, 106th Avenue SE on the same day. Several neighbors contacted the City for clarification on the Plat Amendment project with questions of a minor nature, but no Parties of Record were created for this application.

VI. Decision Criteria:

20.45A.270.D Final plat – Revision.

D. The Director may administratively approve or approve with modifications an application for amendment to a final plat, if:

- 1. The proposed amendment to a final plat makes appropriate provisions for, but not limited to, the public health, safety and general welfare; for open spaces, drainage ways, streets, sidewalks, alleys, other public ways, water supplies, sanitary waste, parks, playgrounds, sites for schools and school grounds**

Finding: This application proposes no changes to the provisions already in place in the Ellene's Addition plat. Only the plat condition requiring a larger front setback is being removed. All other provisions for public health, safety, and general welfare remain intact. No transfer of property is proposed or necessary.

- 2. The public use and interest is served by the amendment;**

Finding: The public use and interest is unaltered by this amendment. There are no changes proposed to public amenities within the site. The proposal will provide all property owners within the plat the same development potential as those neighbors who do not have this plat condition on their property.

- 3. The proposed amendment to a final plat appropriately considers the physical characteristics of the subdivision site**

Finding: The proposed amendment will have no impact on the physical characteristics of the subdivision site. Several of the houses within the plat are currently non-conforming to the required plat condition. Removing this plat condition for an increased front setback removes the status of non-conformity to these structures, allows all neighbors within the development to develop their parcels equally.

- 4. The proposed amendment complies with all applicable provisions of the Land Use Code, the Bellevue City Code, and Chapter 58.17 RCW;**

Finding: The proposed amendment meets the requirement of the Land Use Code, the Bellevue City Code and Chapter 58.17 RCW. With this application, the applicant has provided the signatures of the majority of property owners affected by the existing plat condition.

- 5. The proposed amendment is consistent with the Comprehensive Plan, BCC Title 21; and**

Finding: The proposed amendment is consistent with the Comprehensive Plan, it does not change the underlying zoning, or comprehensive plan designation for the area

6. Each lot in the proposal can reasonably be developed in conformance with current Land Use Code requirements without requiring a variance; however, requests for modifications to the requirements of Part 20.25H LUC, where allowed under the provisions of that part, may be considered together with an application for amendment to a final plat, provided the resulting lots may each be developed without individually requiring a variance

Finding: The proposed amendment will not impact the ability to develop any lot within the existing Ellene's Addition plat. No variances will be required to re-develop any of the lots within the plat due to the removal of the plat condition.

VII. Conclusion and Decision:

After conducting the various administrative reviews associated with this proposal, including applicable Land Use consistency, City Code, and standard compliance reviews, the Development Services Director does hereby **approve** the Ellene's Addition Final Plat Modification with conditions.

VIII. Conditions of Approval:

COMPLIANCE WITH BELLEVUE CITY CODES AND ORDINANCES

The applicant shall comply with all applicable Bellevue City Codes, Standards, and Ordinances including but not limited to:

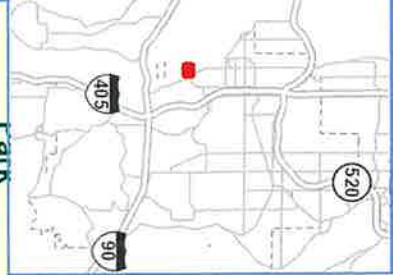
<u>Applicable Codes, Standards and Ordinances</u>	<u>Contact Person</u>
Fire Code – BCC 23.11	Sean Nichols, 425-452-2926
Land Use Code – BCC Title 20	Carol Orr, 425-452-2896
Utility Code – BCC Title 24	Mark Dewey, 425-452-6179
Clearing and Grading – BCC 23.76	Savina Uzunow, 425-452-7860
Transportation _ BCC Title 14	Molly Johnson, 425-452-6175

LIST OF ATTACHMENTS

- A. Zoning Map
B. Vicinity Map

10238
R-2.5 1433
R-2.5

10315 10325
1616 1615
1622 1623
1628 1631
1632 1639
38



Locator Map

104TH AVE SE

SE 16TH ST

R-4

105TH AVE SE

SE 16TH ST

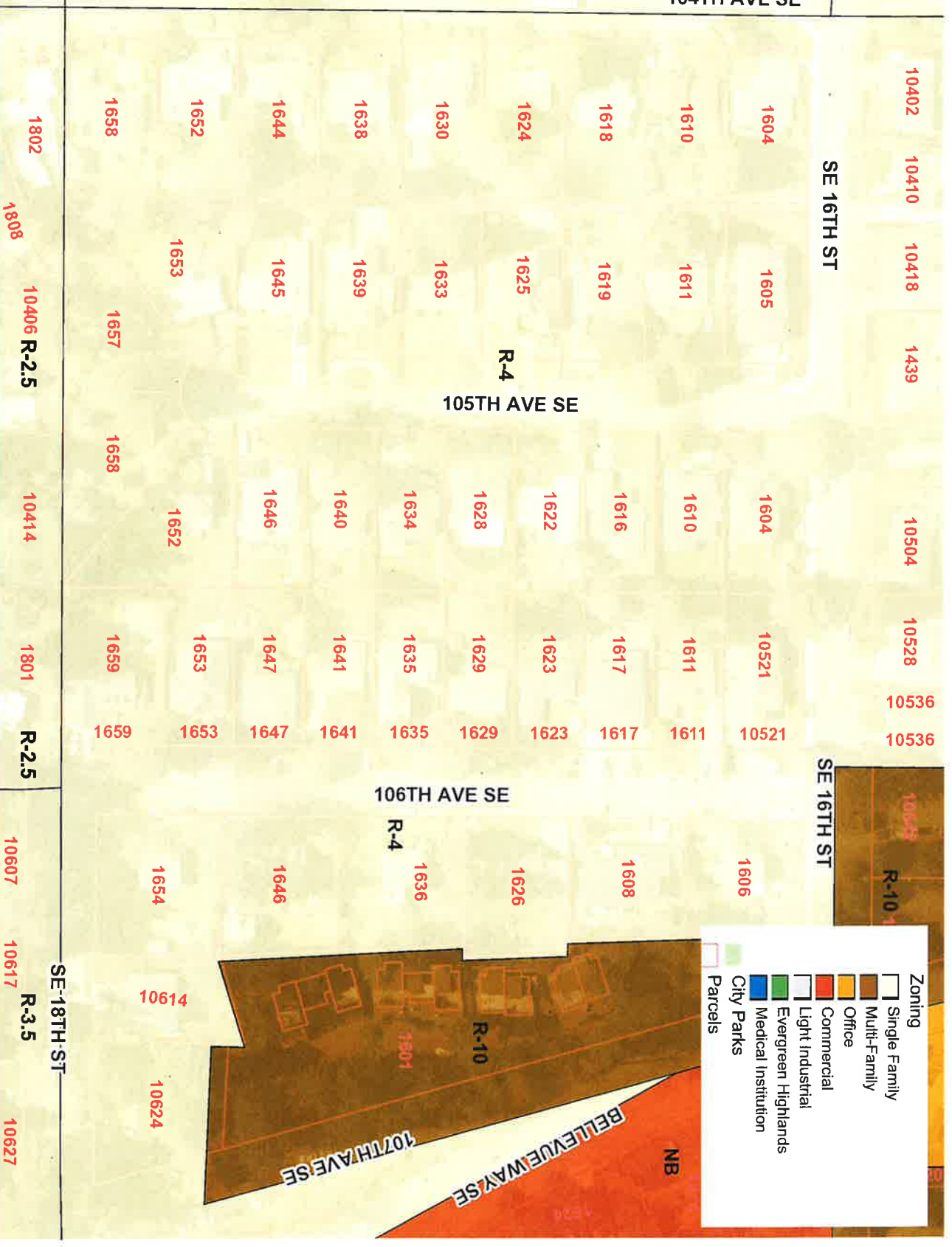
106TH AVE SE

R-4

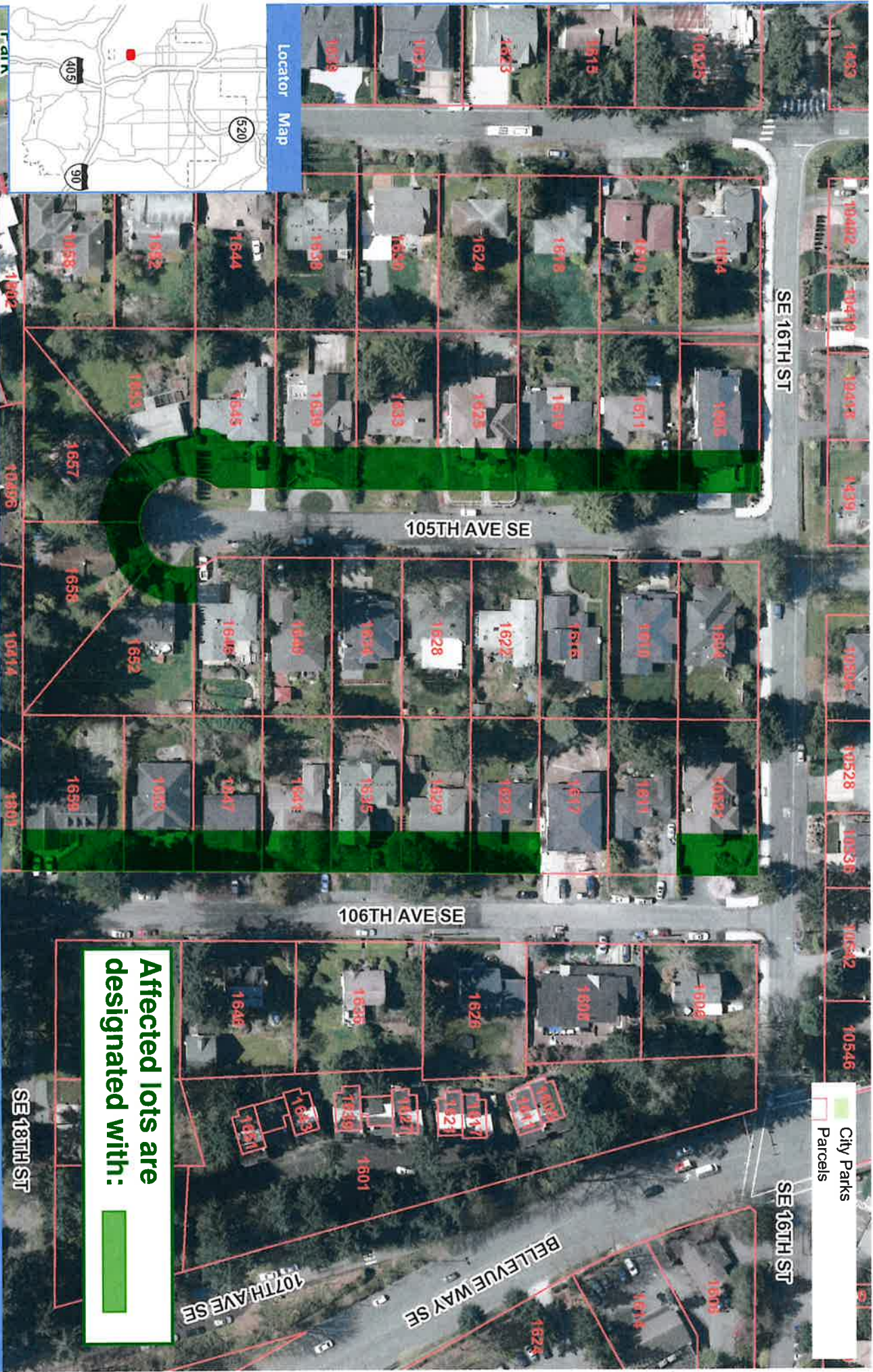
10649
R-10

Zoning

- Single Family
- Multi-Family
- Office
- Commercial
- Light Industrial
- Evergreen Highlands
- Medical Institution
- City Parks
- Parcels



City Parks
Parcels



Locator Map

Affected lots are
designated with:



18-110638-LG

Ellene's Addition Plat Amendment

Vicinity Map

